

RULE 126 - RIVER WORK PERMITS

A. REGULAR PROCEDURE

River Work Permits shall be required by any Person who undertakes riverbank or Riverbed protection, riparian vegetation removal, channel modification or activities prohibited by Rule 124 within the Riparian Corridor, except where such activity is expressly exempt from this permit process in accord with Rule 126 B. Such a permit must be obtained prior to the commencement of any work or activity unless that activity is defined as a “minor work” or unless that activity is an “emergency work”. Minor works may be undertaken in accord with the process set forth in Rule 127 A (4) below. Emergency works may be undertaken in accord with the process set forth in Rule 127 B.

B. PERMIT EXEMPTIONS

This District Board may from time to time, upon advice of the Carmel River Advisory Committee, designate River Works which shall be exempt from this permit process, and therefore not be subject to the prohibitions set forth in Rule 124. District staff shall maintain and distribute a list of such exempt activities.

C. EMERGENCY PROCEDURE

Emergency riverbank or Riverbed protection or channel modification measures are excepted from the prior requirement for a River Work Permit, provided that the General Manager or District Engineer must first declare such an emergency to exist or to be imminent. Emergency River Work Permits shall be processed in accord with Rule 127 B. When declaring an emergency, the General Manager or District Engineer shall take into account the high probability of flooding, erosion danger, blockage and structural damage. During a declared period of emergency, the District must be notified as soon as possible in writing of the type, location and extent of any emergency works. Application for approval shall then be made within 10 days after such emergency works were begun to the Monterey Peninsula Water Management District on forms supplied by the District and, if required by the General Manager or District Engineer, shall be accompanied by appropriate plans.

D. PROCEDURE WHERE A LIFE OR PROPERTY IS THREATENED

Should an emergency situation arise that requires immediate bank protection actions to mitigate a clear and present danger to life or property, such actions may be performed without prior approval of the General Manager or District Engineer. Protective measures performed under this subsection shall be limited to those needed to mitigate such clear and present danger to life or property.

Such activity shall immediately be communicated to the District, and within ten calendar days of the commencement of such actions the type, location, and extent of protective measures performed under this subsection shall be reported in writing to the District.

Rule added by Ordinance No. 10 (7/26/83); amended by Ordinance No. 22 (3/11/85); Ordinance No. 14 (11/12/84); Ordinance No. 125 (9/18/2006); Ordinance No. 177 (9/18/2017)